

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MATTHEW ZORN,

*Plaintiff,*

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*,

*Defendants.*

Civil Action No. 4:22-CV-02396

**JOINT MOTION FOR EXTENSION OF TIME AND SCHEDULING  
ORDER REGARDING MOTION TO DISMISS BRIEFING  
DEADLINES**

The parties hereby jointly request that the Court enter a scheduling order regarding further briefing on Defendants' motion to dismiss in part, Doc. No. 83, thereby extending their respective deadlines to file further briefs in the manner described specifically below. In further support of this motion, Defendants would show the Court the following:

1. Defendants timely filed a motion to dismiss in part regarding the Fourth Amended and Supplemental Complaint on October 27, 2023. Doc. No. 83. Under the Court's rules, Plaintiff's response is due November 17, 2023, and Defendants' reply is due November 24, 2023. The Court has granted Plaintiff leave to file a surreply, Doc. No. 81, but has not established a deadline regarding that brief.

2. Due to the press of business in other matters, the length of the anticipated briefing, and previously scheduled travel surrounding the Thanksgiving holiday, the parties require modest extensions of the ordinary briefing deadlines to facilitate the orderly preparation and submission of further briefing on Defendants' motion. Additionally, the parties respectfully seek the establishment of a deadline for Plaintiff's surreply. The parties accordingly request that the Court

enter the following schedule regarding further briefing on Defendants' motion to dismiss in part.

The length of each extension, if applicable, is noted parenthetically below.

- Plaintiff's response due November 20, 2023 (extension of 3 days).
- Defendants' reply due December 4, 2023 (extension of 10 days).
- Plaintiff's surreply due December 11, 2023.

For the foregoing reasons, the parties respectfully request that the Court enter the proposed schedule.

DATED: November 8, 2023

Respectfully Submitted,

ALAMDAR S. HAMDANI  
United States Attorney

/s/ Jimmy Rodriguez  
Jimmy A. Rodriguez  
Assistant United States Attorney  
Southern District of Texas  
Attorney in Charge  
Texas Bar No. 24037378  
Federal ID No. 572175  
1000 Louisiana, Suite 2300  
Houston, Texas 77002  
Tel: (713) 567-9532  
Fax: (713) 718-3303  
jimmy.rodriguez2@usdoj.gov

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Branch Director

/s/ James Powers  
JAMES R. POWERS  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
1100 L St. NW  
Washington, DC 20005

(202) 353-0543  
james.r.powers@usdoj.gov

Attorneys for Defendants

/s/ Matthew C. Zorn  
Matthew C. Zorn  
Yetter Coleman LLP  
mzorn@yettercoleman.com  
811 Main Street, Suite 4100  
Houston, TX 77002  
T: (713) 632-8000  
F: (713) 632-8002

Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I certify that on November 8, 2023, a true and correct copy of the foregoing was filed with the United States District Clerk for the Southern District of Texas and electronically served on all counsel of record via the District's ECF system.

/s/ James R. Powers  
James R. Powers  
Trial Attorney